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United Nations Population Fund

Report of the Ethics Office 2015

Summary

This report is submitted to the Executive Board pursuant to paragraph 9 of Executive Board decision 2010/17: Reports of the Ethics Offices of UNDP, UNFPA and UNOPS. In accordance with the Secretary-General's bulletin entitled United Nations system-wide application of ethics: separately administered organs and programmes (ST/SGB/2007/11), the report was reviewed by the Ethics Panel of the United Nations at its 78th session on 9 February 2016 and subsequently presented to the UNFPA Executive Director.

The report provides a summary of the activities of the UNFPA Ethics Office during 2015, and describes trends in the mandated areas of its work. It also provides recommendations to management to further strengthen the organizational culture of integrity and compliance.

Elements of a decision

The Executive Board may wish to take note of the present report, comment on the progress of the work of the UNFPA Ethics Office and offer support for the recommendation made to management.

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I. Introduction

1. The present report, the eighth since the establishment of the UNFPA Ethics Office in January 2008, covers the period 1 January to 31 December 2015. Pursuant to paragraph 9 of Executive Board decision 2010/17, the report, prepared in accordance with the Secretary-General's bulletin, "United Nations system-wide application of ethics: separately administered organs and programmes" (ST/SGB/2007/11), is submitted to the Executive Board at its annual session in 2016.

2. The UNFPA Ethics Office supports the Executive Director in ensuring that all UNFPA personnel perform their functions consistent with the highest ethical standards required by the Charter of the United Nations, the Standards of Conduct for the International Civil Service, and UNFPA policies and procedures. The Ethics Office operates on principles of independence, impartiality and confidentiality. Its activities aim to promote an organizational culture based on shared values of integrity, accountability, transparency, professionalism, respect and tolerance.

3. This report describes the key activities undertaken by the Ethics Office in 2015. It also comments on the actions taken and progress made in addressing certain recommendations that were made to management in the 2014 annual report of the Ethics Office (DP/FPA/2015/8).

4. In reviewing the administration of the ethics function in UNFPA, this report provides further recommendations on ways to strengthen the organization's ability to maintain the highest ethical standards, so that UNFPA may continue to deliver a world where every pregnancy is wanted, every childbirth is safe, and every young person's potential is fulfilled.

II. Activities of the UNFPA Ethics Office

5. As in previous years, the activities of the Ethics Office were undertaken in the following mandated areas of work:

(a) Providing confidential advice and guidance to staff on ethics-related issues;

(b) Administering the financial disclosure programme;

(c) Administering the policy for the protection of staff against retaliation;

(d) Developing standards, training and education on ethics issues in coordination with other offices in UNFPA and the Ethics Panel of the United Nations (EPUN) as appropriate, and conducting ethics outreach; and

(e) Providing guidance and policy support to management on ethics standard-setting to ensure that the rules, policies, procedures and practices of the organization reinforce and promote the highest standards of ethics and integrity required by the Charter of the United Nations and other applicable staff rules and regulations.

6. The Ethics Office provided services on 390 occasions in 2015, the most since the Office was established in 2008. This represents a 79 per cent increase in services as compared to 2014, and a 37 percent increase over 2013. The higher number reflects strengthened staff and management engagement with the Ethics Office as well as increased collaboration among members of EPUN.

7. Figure 1 below shows that most of the 390 services provided in 2015 were advisory (226); 57 involved assisting staff with their financial disclosures; and 7 were complaints and inquiries about retaliation. The Ethics Office contributed to the United Nations system-wide coherence and harmonization of ethics-related policies and practices (45 matters) and to ethical standard-setting within UNFPA (23 matters). Figure 2 summarizes the services provided by the Ethics Office over the most recent four-year period, 2012-2015.

Figure 1
Requests for services, by category, in 2015

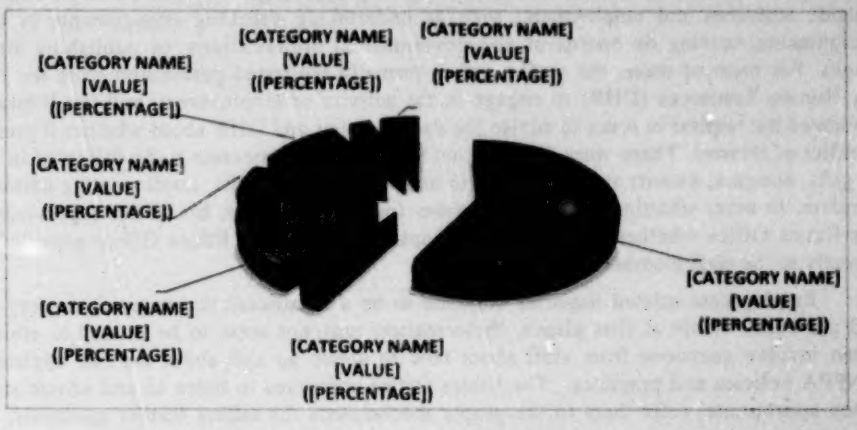

Figure 2
Overview of services, by category, 2012-2015

Year	Advice and guidance	Retaliation	Financial disclosure	Standard-setting	Coherence	General information	Training	Total
2012	167	3	38	23	26	19	9	285
2013	161	5	54	19	28	6	12	285
2014	104	5	57	9	26	11	6	218
2015	226	7	57	23	45	11	21	390

A. Advice and guidance

8. The provision of advice and guidance is the foundation of the Ethics Office's programme of work. In 2015, advice constituted 58 per cent of the Office's work programme.

9. Requests for advisory services increased 117 per cent over 2014, and 40 per cent over 2013. The largest increases occurred in the East and Southern Africa and Latin America and Caribbean regions, where the Ethics Office conducted outreach missions in 2015 (see figure 3, and further information in Section D below). This is a further indication that staff will engage on ethics issues when they can interact in-person with the Ethics Office.

Figure 3
Requests for ethics advice and guidance, by geographic location, 2012-2015

Year	HQ	Eastern and Southern Africa	Western and Central Africa	Latin America and the Caribbean	Asia and the Pacific	Eastern Europe and Central Asia	Arab States	Total
2012	81	14	10	24	20	10	8	167
2013	66	8	5	17	34	8	23	161
2014	55	2	8	15	15	7	2	104
2015	84	62	17	36	17	6	4	226

10. Of the 226 inquiries that were received in 2015, 152 concerned conflicts of interest issues (see figure 4 below). Of these, the majority (100 inquiries) related to participation in outside activities and employment, such as undertaking speaking engagements or teaching assignments, serving on boards of non-governmental organizations, or publishing articles or books. For most of these, the staff member formally requested permission from the Division for Human Resources (DHR) to engage in the activity or employment, and the Ethics Office reviewed the request in order to advise the staff member and DHR about whether it presented a conflict of interest. There were 12 inquiries related to the processes to be followed in relation to gifts, honours, awards and hospitality to and from governments, implementing partners, and vendors. In other situations, the staff member (or in some cases, his or her supervisor) asked the Ethics Office whether an activity was appropriate, and the Ethics Office provided advice directly to the staff member or supervisor.

11. Employment-related inquiries continue to be a significant minority of advisory matters (33 per cent). While at first glance, these matters may not seem to be related to ethics, they often involve questions from staff about how to speak up and about the fair application of UNFPA policies and practices. The Ethics Office continues to listen to and advise staff and, when appropriate, refer them to the proper mechanisms for asking further questions, settling disputes or reporting wrongdoing.

Figure 4
Requests for ethics advice and guidance – breakdown of 2015 data

Category	Headquarters	Field	Total cases
Conflicts of interest			
– Outside activities	33	67	100
– Gifts, awards and hospitality	5	7	12
– Organizational conflicts of interest	9	8	17
– Other	7	16	23
Subtotal	***54***	***98***	***152***
Employment-related concerns			
– Workplace conduct issues	20	23	43
– Clarification of personnel-related policies	6	16	22
– Recruitment and promotion processes	2	2	4
– Other inquiries	2	3	5
Subtotal	***30***	***44***	***74***
Grand Total	**84**	**142**	**226**

B. Financial disclosure programme

12. The financial disclosure programme helps UNFPA to preserve and protect its integrity, thus building public confidence in the organization and its staff. The programme is a primary tool of UNFPA for identifying and assessing conflict of interest risks arising from the financial investments and outside activities of staff members and their immediate family members.

13. A total of 689 staff members submitted financial disclosure statements in the 2015 annual filing cycle, which covered the 2014 calendar year (see figure 5). Of the staff required to file, 135 were based at headquarters and 554 were field-based. Some 115 staff members were first-time filers. The filing population comprised 321 staff in managerial positions (47 per

cent) and 368 support staff (53 per cent), mostly finance or administrative assistants and associates based in field offices.

Figure 5
Financial disclosure participation, by location and calendar year, 2011-2014

Year	Headquarters	Field	Total by year
2011	89	470	559
2012	123	499	622
2013	133	541	674
2014	135	554	689

14. The total number of staff required to file disclosure statements increased again this year. Since 2006, when the programme began, the number of participants has increased by 135 per cent. These designations result in more than one-quarter of all UNFPA staff currently having to participate in the programme. The volume of disclosure statements is increasingly difficult for the Ethics Office to manage, given that only the Ethics Adviser can review the files and conduct all follow-up inquiries and advice. Yet many managers have advocated for inclusion of additional categories of staff due to their significant procurement and other financial decision-making responsibilities.

15. The Ethics Adviser reviewed each financial disclosure statement for completion, and to consider whether any of the activities of the staff member or his or her immediate family members could present a conflict of interest, given the organization's mission and activities and the staff member's role. Some 128 (19 per cent) of filers certified that they had no relevant disclosures. Additional information was requested from 264 (38 per cent) staff members. Upon further review, 14 staff members were found to have a previously undisclosed outside activity. They subsequently submitted a request for approval for the activity or stated that they would resign the position voluntarily. Three staff members were found to have potential conflicts of interest in their rental of homes to other United Nations staff or member state offices. Advice was provided in these and several other situations as well, to ensure that any potential conflicts were managed effectively.

16. Following its review of the financial disclosures, the Ethics Office additionally subjected a random sample of 7 per cent (51 statements) of the entire filing population, diversified by location, grade and function, to verification of their financial disclosures. This verification process, now in its third year, allows the Office to ensure that staff members are diligently and accurately completing their financial disclosure statements. An outside firm retained by the Ethics Office reviewed the documentation submitted in support of the staff members' original disclosures.

17. During the verification phase, 46 of the staff members' files were reviewed and closed without any noteworthy concerns. Five of the 51 staff members, however, were found to have submitted documentation in support of significantly more assets and interests than they had disclosed during the initial disclosure period. This is an improvement over the prior year, when 13 staff members verified (25 per cent) had done this. Although these additional disclosures were not found to present conflicts of interest, the staff members concerned were counselled about the requirements of the financial disclosure programme to ensure full compliance in the future. The Office is hopeful that clearer communications and instructions have resulted in this improvement in financial disclosures.

C. Protection of staff against retaliation

18. UNFPA is obligated to protect staff members who report misconduct, or participate in an authorized fact-finding activity, from any actual or threatened detrimental action that they could face as a consequence of that report or participation. The Ethics Office is charged with administering the policy on protection against retaliation, which sets forth the prohibition against

retaliation, the procedures for lodging a complaint, and the steps the organization may take to address retaliation.

19. Upon receipt of a formal complaint, the Ethics Office undertakes a preliminary assessment to determine whether the complainant engaged in an activity warranting protection from retaliation and, if so, whether this protected activity was a contributing factor to the retaliation. If the Ethics Office determines that a prima facie case of retaliation has been established, the matter is referred to the Office of Audit and Investigation Services (OAIS) for investigation. Following completion of the investigation, the Ethics Office reviews the OAIS investigation report, seeks clarification, as needed, and then makes a final determination whether retaliation has occurred.

20. In 2015, the Ethics Office concluded one complaint of retaliation, which had been filed in 2014 by a former consultant.[1] Following a preliminary assessment of the case, the Ethics Office determined that the facts alleged by the consultant were not supported by the initial information provided; thus, no prima facie case of retaliation was established.

21. Also in 2015, the Ethics Office received three new complaints of retaliation and four inquiries about the application of the policy. All three complaints, and one of the inquiries, arose out of the same office, and involved the head of that office as the subject of the complaint or inquiry. The Ethics Office found that a prima facie case of retaliation existed in each of the three cases, and referred the complaints to OAIS for investigation.

22. Following completion of the investigation by OAIS, the Ethics Office found that retaliation was established in the first case. The Ethics Office concluded that, as a direct result of the staff member's complaints of misconduct, the supervisor had threatened the staff member and abused his/her authority when the staff member tried to resolve their interpersonal disputes through mediation. The Ethics Office recommended to the Executive Director that disciplinary action be taken, and made additional recommendations to address issues of significant concern that were uncovered in the investigation. This is believed to be the first substantiated case of retaliation at UNFPA.

23. In the second and third complaints, following investigations by OAIS, the Ethics Office determined that retaliation had not been established because the behaviour alleged to constitute acts of retaliation began before the reports of misconduct were made. However, many issues of significant concern were uncovered; consequently, the Ethics Office made several recommendations to the Executive Director to address these issues.

24. Regarding the remaining three retaliation inquiries, two of them related to a complaint of retaliation filed in 2015.[2] One additional inquiry related to an alleged threat of retaliation by a staff member against his/her manager.

D. Training, education and outreach

25. The training, education and outreach programme of the Ethics Office aims to reinforce the core values and principles of the United Nations and the international civil service, increase knowledge of and compliance with ethics-related policies, and encourage staff and management to adhere to high ethical standards.

26. In 2015, the Ethics Office conducted 24 training and education programmes and ethics briefings for approximately 550 UNFPA personnel. More than half of the sessions took place away from headquarters.

27. The Ethics Adviser attended the Global Senior Management Meeting in Tunisia, and provided training on the topic, 'For What Greater Good?'. The Ethics Adviser also attended the meeting for all Africa-based UNFPA managers, and briefed them on the financial disclosure programme and other matters. The Ethics Adviser conducted outreach missions to the Latin

[1] Referenced in paragraph 28 of the Report of the Ethics Office 2014.
[2] Summarized in the Report of the Ethics Office 2014.

America and Caribbean regional and subregional offices; the country offices in Panama, Haiti and Colombia; the regional office for East and Southern Africa; and the country offices in Uganda, Democratic Republic of the Congo, Tanzania (including Zanzibar), Lesotho and South Africa. These missions included training sessions on 'Ethics and International Civil Service', confidential advisory sessions and management briefings.

28. The Ethics Office collaborated with the Division for Human Resources (DHR) to deliver several briefings for headquarters divisions regarding the ethics-related implications of the 2014 Global Staff Survey results. The Ethics Office provided ethics briefings for the new Deputy Executive Director for Management and for three new division directors. The Office also virtually conducted an ethics briefing for the Benin country office.

29. The Ethics Office launched its microsite (intranet) page in January 2015, with the assistance of the Media and Communications Branch. The Ethics Office microsite, which replaces its old intranet site, contains basic ethics resources and articles highlighting ethics issues: speaking up; international civil service obligations; social and professional networking; and receiving gifts and favours. The site was visited more than 400 times in its first year.

30. A new online training programme, 'Ethics and Integrity at the United Nations Population Fund', was in its final stages of development in 2015. The programme is harmonized with those of other United Nations system organizations, including the United Nations Secretariat, UNDP and UNICEF. Once it is completed, the current mandatory online course, 'Ethics, Integrity and Anti-Fraud: Setting the Standards at UNFPA', will be retired.

E. Standard-setting and policy support

31. A key function of the Ethics Office is to provide guidance to management on ethics standard-setting so that the policies and practices of the organization reflect and promote the expectations of integrity, impartiality and fairness required of UNFPA and its staff. During the reporting period, the Ethics Office worked closely with the Programme Division, OAIS, DHR, and the Legal Unit and other divisions on 23 occasions to review, provide input and seek clarification on new and revised policies and procedures reflecting the organization's operations.

32. The Ethics Office attended its annual meeting with the UNFPA Audit Advisory Committee and briefed the Committee on its 2015 programme activities.

III. Ethics Panel of the United Nations and the Ethics Network of Multilateral Organizations

33. The UNFPA Ethics Office participated in each of the 11 official meetings of the Ethics Panel of the United Nations (EPUN) and one ad-hoc meeting, as well as the annual meeting of Ethics Network of Multilateral Organizations (ENMO). Beyond participation in the meetings, the Ethics Office contributed to 32 advisory matters within the EPUN/ENMO community in 2015. Given the small size of the UNFPA Ethics Office staff and budget, and the specialized, confidential nature of its operations, these networks were critical resources for ensuring consistency in application of policies and practices, and learning about best practices in international organizations. Further information on the work of EPUN is provided in the Report of the Secretary-General on the activities of the Ethics Office (A/70/307), presented at the 70th session of the General Assembly.

IV. Observations and recommendations to management

34. The following observations and recommendation reflect on the progress made in 2015, and how the culture of ethics and integrity in UNFPA can be further strengthened.

(a) In 2015, as in past years, the Ethics Office relied heavily on the invitations and financial support of the regions and offices it visited to conduct advice, training and outreach missions. This year again, meeting directly with staff in person led to greater engagement with the Ethics Office than when the Office is only available virtually. Thus, travel to the regions is critical if the Office is to fully realize its mandates to provide ethics advice and guidance, conduct training and education, and offer protection from retaliation. However, considering the financial constraints facing the entire organization, field offices cannot be expected to make additional resources available to sponsor missions from the Ethics Office. For this reason, the Office is working to ensure cost savings in other areas, such as training development and consulting, in order to make more budget funds available toward travel to the regions.

(b) The Financial Disclosure Programme has operated for several years. The participant population has increased annually since the programme's inception, and now constitutes a sizeable percentage of the staff population. Yet many categories of staff members who have financial and procurement related decision-making authority are not required to participate. Further, staff are asked to disclose detailed personal information, much of which may not be relevant to the UNFPA mandate and activities. As with all programmes and policies, periodic review of applicability and effectiveness is important. To this end, the Ethics Office plans to review the policy and programme for financial disclosure in the next year, with a view to updating it so that it can be truly fit for purpose.

(c) As the Ethics Office and other leaders in UNFPA raise awareness among staff members about the organizational expectation to align their conduct with the values of the United Nations, staff members, in turn, will increasingly expect procedural fairness from the system. Therefore, it is important that the policies and guidelines are not only explicitly aligned with United Nations values, but also implemented fairly and with integrity. Deviations from policies and guidelines, especially with regard to personnel decisions, should be only exceptionally allowed, and transparently implemented.

(d) In spite of leadership development training and many formal communications promoting good management practices, there continues to be some conflict and misunderstanding among staff and managers regarding the role and responsibility of managers at UNFPA. Requests for advice and complaints of retaliation too often are rooted in the common belief that some managers will not tolerate and properly respond to dissent and other acts of speaking up. This perception causes staff to avoid speaking up on matters great and small. Such inaction not only will affect morale, but also prevent senior management and oversight bodies from being made aware of potential problems and concerns early enough to reach favourable resolutions. The Ethics Office recommends that senior management consider ways to help managers develop better self-management and basic conflict resolution skills, and to incorporate these skills into the assessments of candidates for managerial positions, in order to advance the organization's goal of operational excellence.

V. Conclusion

35. The Ethics Office in 2015 focused on taking practical steps to help staff and management build a culture of ethics and integrity, in which our shared obligations as international civil servants, loyal to the United Nations only, are paramount. The Office is encouraged by its increased interactions with staff and other personnel on ethics issues, and looks forward to continuing that work in the next year.